

IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application of Charles B. Shepard et al

Serial No.: 10/802,209

Examiner: Not yet assigned

Filing Date: 03/17/2004

Group Art Unit: 1731

For: Foamed Tobacco Products and Method of Making Same

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: Office of Initial Patent Examination's  
Filing Receipt Corrections

Sir:

**REQUEST FOR CORRECTED FILING RECEIPT**

Enclosed is a copy of the filing receipt received in connection with the above-referenced patent application, which has been marked in red to show that the first inventor's name is incorrect. We are also enclosing a copy of the Inventors' Declaration showing the correct name of the first inventor.

Please forward a corrected filing receipt as soon as possible.

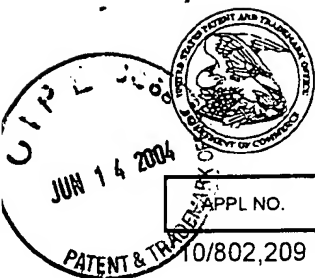
Respectfully submitted,

CHARLES B. SHEPARD et al

By Diane F. Covello  
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Registration No. 34,164  
Alix, Yale & Ristas, LLP  
Attorney for Applicant

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Our Ref: NUWAY/101/US  
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| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/802,209 | 03/17/2004                | 1731     | 618           | NUWAY/101/US    |          | 22       | 8        |

CONFIRMATION NO. 3756

002543  
 ALIX YALE & RISTAS LLP  
 750 MAIN STREET  
 SUITE 1400  
 HARTFORD, CT 06103

## FILING RECEIPT



\*OC000000012861605\*

Date Mailed: 06/03/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

**B.**

Charles **(b)** Shepard, South Windsor, CT;  
 Raymond A. Voorhies, Windsor, CT;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 06/03/2004

Projected Publication Date: 09/22/2005

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Foamed tobacco products and method of making same

Preliminary Class

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

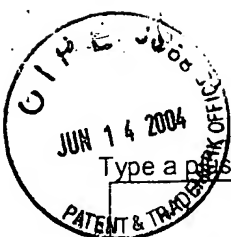
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Type a plus sign (+) inside this box → [+]

|   |                      |                    |
|---|----------------------|--------------------|
| <b>DECLARATION</b><br><br><input checked="" type="checkbox"/> Declaration Submitted with Initial Filing <input type="checkbox"/> Declaration Submitted after Initial Filing | Attorney Docket      | NUWAY/101/US       |
|   | First Named Inventor | Charles B. Shepard |
|   | COMPLETE IF KNOWN    |                    |
|   | Application Number   |                    |
|   | Filing Date          |                    |
|   | Group Art Unit       |                    |
|   | Examiner Name        |                    |

As an above named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Foamed Tobacco Products and Method of Making Same**

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY) \_\_\_\_\_ as United States Application or PCT International Application Number \_\_\_\_\_ and was amended on (MM/DD/YYYY) \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Codes of Federal Regulations, §1.56.

I hereby claim foreign priority under Title 35, United States Code § 119 (a)-(d) or § 365 (b) of any foreign application(s) for patent or inventor's certificate, or § 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Numbers | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed     | Copy Attached            |                          |
|-----------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
|                                   |         |                                  |                          | Yes                      | No                       |
| None                              |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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|                                   |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under Title 35, United States Code § 119 (e) of any United States provisional application(s) listed below:

| Application Number(s) | Filing Date (MM/DD/YY) | <input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority sheet attached hereto. |
|-----------------------|------------------------|--|
| None                  |                        |  |

57 960 816 196 77  
EL 967 912 026 45

## DECLARATION

Page 2

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or §365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Title Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

| U.S. Parent Application Number | PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|--------------------------------|-------------------|---------------------------------|--------------------------------------|
| None                           |                   |                                 |                                      |

☐ Additional U.S. or PCT International application numbers are listed on a supplementary priority sheet attached hereto:

As a named inventor, I hereby appoint the registered practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office therewith, and direct that all correspondence be addressed to that Customer Number:

Firm Name:

Alix, Yale &amp; Ristas, LLP

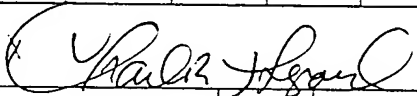
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002543

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

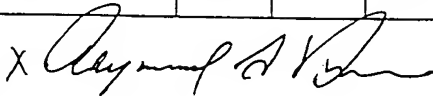
Name of Sole or First Inventor

☐ A petition has been filed for this unsigned inventor

|                      |   |                |             |             |         |                     |        |
|----------------------|---|----------------|-------------|-------------|---------|---------------------|--------|
| Given Name           | Charles   | Middle Initial | B.          | Family Name | Shepard | Suffix              |        |
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|                      |   |                |             |             |         | Applicant Authority |        |

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor

|                      |   |                |             |             |          |                     |        |
|----------------------|---|----------------|-------------|-------------|----------|---------------------|--------|
| Given Name           | Raymond   | Middle Initial | A.          | Family Name | Voorhies | Suffix              |        |
| Inventor's Signature |  |                |             |             | Date     | X 3-16-04           |        |
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|                      |   |                |             |             |          | Applicant Authority |        |

☐ Additional inventors are being named on supplemental sheet(s) attached hereto.